

COMMISSIONERS APPROVAL

GRANDSTAFF *CG*

ROKOSCH *JJR*

THOMPSON *AT*

CHILCOTT *g*

DRISCOLL *WD*

PLETTENBERG (Clerk & Recorder)

Members Present..... Commissioner Carlotta Grandstaff,  
Commissioner Jim Rokosch, Commissioner Alan Thompson, Commissioner Greg  
Chilcott and Commissioner Kathleen Driscoll

Date.....September 15, 2008

Minutes: Glenda Wiles

► The Board met with CTA Architects to discuss and possibly decide on a contract for the 9-1-1 remodel and DUI Processing Center. Commissioner Rokosch was not present for this meeting. CTA Staff Alan Bronec, P.E. and Rob Porch, Project Coordinator indicated they met on site last week with Maintenance, I.T., Sheriff's Staff & 9-1-1 Personnel. Rob stated they wanted to share with the Commissioners what they found at that site visit, which includes the current HVAC construction occurring at the Courthouse. Alan stated there is an existing standard NFPA 1221 (building) code which could impact how they design the 9-1-1 facility; particularly if the Commissioners want to be in compliance with this code. (This would include redundancy and an independent nature from the balance of the system at the Courthouse.) Back up emergency power might be tied into one of the current generators. Also, the IT equipment needs to be in a secure room. The shed that encloses the generator needs an upgrade for fire protection. Rob stated the reason for this code is that it isolates the 9-1-1 center from any disaster that could occur (fire, earthquake etc.).

Alan stated the corner of the Courthouse that the Commissioners want the 9-1-1 to be located in is in a good location because it has a 4-hour burn separation. One issue they need to pay attention to is the Election Room walls that will be attached to this center. Rob stated they can design the center to a lesser standard (than the NFPA 1221) which might be an economic decision for the Commissioners. Alan also noted they can 'cherry pick' some issues, but it is always best to follow the standard as close to possible.

Alan stated the DUI Processing Room is pretty straight forward. They looked at two areas, one of which was an infill area by the entry way on Madison and the other area

would be an addition to the Sally-port area. Alan stated the sally-port area seems to be the cleanest area for construction. A rough estimation of construction cost would be between \$50-70,000.00. This would be an 18 X 36' area which will include some storage space and room for vehicles as they enter the sally-port.

In regard to the 9-1-1 remodel rough numbers \$3-400,000.00 for the construction plus the cost of moving the equipment, and CTA's fee. Currently there is no heating or air in that portion of the basement, so that is actually better for the remodel. The new HVAC would be secure for the 9-1-1 Center. Alan stated he reviewed the schematic from OZ Architects and is looking at the 20-year plan. This plan shows 4 accessory rooms, which can be utilized for office space, I.T. electrical, mechanical room, and an accessory room. Alan stated they are looking at eight 9-1-1 stations. The Commissioners would need to review the need for this many stations as well as the conference room. Commissioner Chilcott agreed they need to review this for the best use of this space.

Rob stated the storage room for the Election Office is under utilized at this time, but he understands there has been some use of this election office as a command center during times of emergencies. Under Sheriff Kevin McConnell stated in the fire years they utilized this area as an EOC but in recent years they only had two volunteers working in this area. He noted the current OEM Office can also serve well in this regard. Discussion included utilizing the planter areas and existing 9-1-1 area for storage. Alan suggested looking at the additional storage area as a separate issue. Commissioner Chilcott stated it is important to utilize the tariff monies for this remodel, noting any additional issues have to come out of other budget monies, which is money they do not have.

Rob stated they will come before the Board with a written fee proposal and an estimated cost of construction. Alan felt they could bring that fee forward within the week. After they negotiate this contract they would be looking at a November or December time frame for construction documents. CTA will also establish time line for the documents, construction etc. Rob asked if the Commissioners want CTA to have 'hands on' during the construction phase which will include a higher fee. The Board indicated that would be important to them.

Discussion included the 20-year schematic and whether that plan is beneficial to the county. Commissioner Grandstaff indicated the agreement with the union does not address what was agreed upon. Two of the current rooms need to be mechanical and I.T., one can be for an office director and one can be for an extra room. Rob stated they can take this space and re-configure it to the actual needs (1,620 sq ft). This plan will best reflect the information they have gathered. They will then meet with the Commissioners for that re-configuration prior to any construction documents being designed. A schematic could be done by the third week of October, but the contract should be entered into by that time. **It was agreed to configure the DUI Processing Center with the 9-1-1 remodel but to treat them as separate bid documents due to the sources of monies that will be utilized for these projects.**

► Minutes: Beth Perkins

► The Board met for discussion and decision on purchasing equipment within the county. Present were I.T. Director Joe Frohlich and Administrative Assistant Glenda Wiles. Commissioner Rokosch was not present for this meeting.

Commissioner Driscoll expressed her concern with departments needing new equipment such as copiers. Glenda stated the Commissioners office has been investigating the purchase of a new copier. She stated Planning has purchased a copier and should have worked with the Commissioners Office towards purchasing two for a cheaper price.

Joe stated it would be a benefit to have a vendor since copiers are purchased regularly. Glenda stated there will be a Department Head meeting on Wednesday and it would be a good time to bring the issue up then. Commissioner Thompson stated there is purchasing power through NACo and the County could save money on purchases. He suggested comparing prices. Commissioner Driscoll suggested investigating other counties to see what types of purchasing agreements they have. Commissioner Chilcott stated there are certain specs on equipment for departmental needs. Glenda stated a good place to start would be with the State. Joe agreed and also included finding a vendor for maintenance for all of them. Commissioner Chilcott suggested starting with Hamilton School District for cooperative agreement for equipment. Glenda stated Staff will contact them for information prior to the Department Head meeting on Wednesday. Further discussion followed regarding MOUs with outside entities.

► Commissioner Chilcott attended MR TMA meeting in the afternoon.

► The Board met with Patty West from the Office of Public Assistance to renew the Community Operating Plan. Commissioner Grandstaff was not present for this meeting.

Patty gave an overview. She stated every three years the agreement with the County has to be renewed. It is based on the Montana Code. She explained the different ways an application can be submitted. She stated the manuals are online for Food Stamp and TANF programs and there is some outreach programs planned in the future for these programs. Patty gave a brief overview of new programs that would fill in the gap between TANF and returning to the workforce. She stated the TANF sanctions have changed. She stated the first sanction is the removal of benefits for individuals but still to children, second sanction is removal of benefits to total family and a meeting with a case professional, third sanction is non-eligibility of family benefits for 3 months, and the fourth sanction is non-eligibility for 6 months. She further explained changes in benefits and qualifications in the Food Stamp program. Patty then reviewed the Medicaid program with the Board.

**Commissioner Rokosch made a motion to approve the renewal of the Community Operating Program with the Office of Public Assistance. Commissioner Driscoll seconded the motion and all voted “aye”.**

► Minutes: Glenda Wiles

► The Board met for a public hearing on the Increase in Tax Levy for health care premium. Glenda noted the proper legal notice was placed in the paper of record. It was noted no members of the public were present for this hearing. Internal Auditor Klarryse Murphy was present for this hearing. Discussion included the number of eligible employees for the health insurance, health costs and the number of mills needed to increase the tax levy. **Commissioner Rokosch made a motion to adopt Resolution No. 2284 which levies 13.934 mills in order to provide the necessary coverage for the health care premium. Commissioner Driscoll seconded the motion and all voted “aye”.** The public hearing was then adjourned.

► The Board met for a public hearing on the Budget Adoption for Fiscal Year 2009. Glenda noted the proper legal notice was placed in the paper of record. It was noted no members of the public were present for this public hearing. Present was Internal Auditor Klarryse Murphy who reviewed the total number of mills, total appropriations, revenues and mills for each fund including the general fund. **Commissioner Rokosch made a motion to adopt Resolution No. 2285 which approves and adopts the final county budget and fixes the various county tax levies. Commissioner Driscoll seconded the motion and all voted “aye”.** The public hearing was then adjourned.

► Minutes: Beth Perkins

► The Board met to continue the subdivision criteria review for fire district mitigation. Present at this meeting were Civil Counsel Karen Mahar, Interim Planning Director Renee Lemon, Planners John Lavey, Vanessa Morrell, Tristan Riddell, Randy Fifrick and several citizens.

Commissioner Rokosch called the meeting to order.

John gave an overview of the impacts on the local fire districts. He stated the Corvallis Fire District changed some of their recommendations to the effect of where some homes may have fire repression sprinklers could qualify for a reduced mitigation. Commissioner Rokosch stated there are a couple of issues he would like to discuss such as process, mitigation, and updating standards. He stated the three options during mitigation are supply amount, public system with adequate pressure or monetary contribution. He discussed quick response units and water supply. The impacts on quick response units can't be addressed right now.

Commissioner Driscoll stated she understands the fire districts need to be at a break even point. She sees a struggle with those needs. She further discussed residential development never paying for itself.

Commissioner Thompson stated the only fire department that was doing anything was Three Mile that determined the need for mitigation. They did a survey and determined the cost to be \$500. Other fire departments followed in line with the number until earlier this year when Corvallis requested an increase. It has been about 8 or 9 years since the survey was done. The argument is payment of the mitigation upon final plat or first conveyance.

John Schmedieke stated another consideration is the impacts of family splits. He stated nothing has been collected on those impacts. Commissioner Thompson stated it has been discussed but has not had much attention from the State. He gave an example. Russ Giese stated this should be discussed at the time of the septic permit. Commissioner Thompson stated the County Commissioners cannot override the State. Russ asked where it said the Commissioners cannot override the State. He stated he is asking for a way to mitigate those impacts. Karen asked if Missoula has stricter regulations for water and septic. Russ stated there are no enforcement agencies. The Volunteers are the enforcement agency. He stated he does not think the County has done anything. In Missoula, there are sprinklers that need building permits. Karen stated Ravalli County does not have building permits. Commissioner Rokosch stated the legal question is the Commissioners are implementing subdivision regulations by the law and the family transfers are an exemption to that law.

John stated the most common exemptions are family transfers and boundary line relocations. Further discussion followed regarding specifics qualifying as a subdivision and the impacts of them to the fire districts.

Russ stated the fire council compromised for AASHTO with David Ohnstad to 18 foot of pavement with two foot gravel shoulders and 10% grade. Russ stated they want a 20 foot of travel surface (pavement) with a one foot of shoulder and 8% grade. Ron Ehli stated they have tried to come forth in an effort of a unified voice to the Board regarding this. The Planning Department has the correct information. Commissioner Driscoll stated she would like to see a consistency during subdivision reviews. John Schmedieke stated they have come forth in the past. Russ stated the Road Department does not have jurisdiction here, the fire districts do. Karen stated part of this process is trying to identify issues that can be addressed through policy changes. Russ argued in order for the Board to changes those requirements to a 20 foot paved surface; they have to adopt revised subdivision regulations. Karen replied it is a case by case basis. John Lavey read the current regulations for the paved surface. He stated the fire districts could submit a letter.

Karen stated she understands everyone is a volunteer however, after sitting through subdivision reviews the question of what exactly the fire districts want comes up time and time again. John Schmedieke stated a lot of fire districts do not have the volunteers to keep addressing every individual letter. He suggested having the generic letter. Commissioner Rokosch stated a standard letter will not cover individual concerns. Russ stated his point is there is no contact from the developers and there is no enforcement. John Schmedieke stated the fire district requirements are 20 foot paved surface. Commissioner Driscoll asked Karen if the Board could request that standard during subdivision review. Karen replied yes the Board could without changing the regulations.

Commissioner Rokosch stated he is hearing the fire districts requesting the Board to change the standards. Commissioner Rokosch stated in the short term, the Board can discuss the expectations. Renee requested an updated letter from the fire council with their requests.

Russ stated there is no reason why any developer cannot get a hold of them. He also stated there is no reason why the letters cannot be faxed or emailed as well. He stated the payments of mitigation should be paid prior to final plat approval. Bill Perrin stated NFP1 is the default which is putting the water on the site with a pumping system. Russ stated Missoula County hired Scott Walden to do the reviews.

Roger DeHaan stated within the subdivision regulations every subdivision lot should be located within a fire district. Can't it include "being in compliance with the regulations"? Karen replied yes, they would have to be in compliance with the regulations. Russ stated there is never a reason for this county to get into a legal issue with a developer regarding the fire districts. He stated the Board can say they can go to the fire districts.

Commissioner Rokosch stated the Board's point of enforcement is the final plat. In the meantime, they can draft a plat of preliminary approval with respect to the provisions to the fire districts. Russ stated as long as the Board recognizes the fire districts as the point of authority, he is fine with it. Ron Ehli stated this is the point they have been waiting for with revisions to the regulations. Commissioner Rokosch explained the process of having the regulations modified within State law. Further discussion followed regarding the timeline for modifying the regulations.

Dave Cowardin stated the Corvallis trustees broke with council and increased their fees. The money spent with developing water supplies was expensive and therefore justified their request for \$900 per lot. At some point, they are going to reach a build out with enough stations and will not need new systems but it is a long way from that. Russ stated water sites require maintenance. They would prefer to see hydrant systems and water systems, although they do not have the resources to maintain those. His biggest fear is showing up and not having them work at a critical point. Bill stated they would not be surviving without growth as long as they stay within the voluntary boundaries. He stated their business model is not so bad but if they get to the point where they have to start hiring, they will be in real trouble.

Commissioner Rokosch stated there is a consideration of capital impacts such as hard costs and infrastructure costs. Those are subject to impact fees. Through subdivision, the Board can consider the effects on other areas. Commissioner Thompson stated there are consequences to consider such as the farmer who owns land that can no longer farm it and then needs to sell bits to survive. He stated he would like to protect him rather than the developer that comes in to buy 20 plus acres for development. He stated the law does not allow the Board to do it. The developer is not the one who pays for it, it is the buyer. Those are consequences the Board has to look at. He understands the fire council is made up of volunteers. Bill stated their trustees are thinking the same thing as Commissioner Thompson. Commissioner Driscoll stated the stats show 20% of the population is changing their homes. She stated you cannot exclude low income housing. The concern

is the developers aren't considering what kind of value for the free services the fire districts are providing.

► Minutes: Glenda Wiles (Continuation of subdivision review criteria for fire services)

Three Mile Fire Chief Russ Giese stated he is not so much concerned with fires in structures when a new development is constructed because of the materials being used in new construction. What he is worried about are the medical calls because they are on the rise while house fires are on the decline. Other fire personnel agreed, noting in Hamilton 72% of their calls were medical.

Discussion included the medical services the hospital provides, and how the fire departments augment those services. Discussion also included having the fire district being part of the covenants of the new developments so if the houses are not built to code the fire districts can be part of that leverage. Russ stated the issue should lie with the applicable jurisdiction which is the fire department. Renee stated if the MCA states this, then the fire district already has the enforcement. Russ asked how they can enforce something they do not know about, i.e., how do they know what houses have fire sprinklers until the house burns down. John Schmedike stated the fire district should always be copied with the agreement/preliminary plat and minutes from the Commissioners. They simply start receiving checks from the consultants. He stated some of the developments did not meet the criteria for the roads yet they are signed off for final plat.

Hamilton Fire Chief Ron Ehli asked how many fire districts respond to the letters that are sent out to the departments when a subdivision occurs. Ron stated if they want to make these requirements, they need to make sure the smaller departments are able to respond to the questions. Russ stated he only responds if he wants something different. If not, he does not respond as they should be meeting the standards. Russ stated they get stuck being an enforcement agency, and they need help from the county making sure the developer has met the conditions of the preliminary plat.

Planner John Lavey stated one of his concerns is the width and travel surface. Russ stated they want to change that to 20'. John stated the county regulations do not address 20'. Russ stated if they have the authority and jurisdiction, 20' (according to the regulations of NFPA) would be the standard they would choose. Renee stated the developers probably won't have a problem with the 20' width; they just need to be advised up front.

In regard to the water, the larger lots are installing their own water systems. One of the Florence Fire Fighters addressed the lack of maintenance on the water systems by the home owner associations. Commissioner Rokosch stated the Commissioners can negotiate the sites of the homes, and that is something the fire departments can weigh in on. Commissioner Rokosch stated he wants to see the preferred manner of mitigation and the fire departments need to weigh in on this. He stated he understands that



homeowner associations don't always maintain the fill systems etc. Commissioner Driscoll stated she would not accept the mitigation, such as fill systems, unless they are maintained. Russ concurred.

Russ stated he does not believe the Commissioners cannot negotiate away something if the fire district has asked for it. Commissioner Rokosch stated he does not have an interest in negotiating away what the fire departments ask for, but that issue should be reviewed by legal counsel. Russ stated while they want to be flexible on some issues, there is a need to be informed on the issues, as they never know what becomes of their requests.

John Lavey stated Ron Ehli made a good point in regard to the smaller districts. He asked if the planning staff should ascertain which districts want to respond and which do not want to respond. The districts indicated each department should be contacted to make sure they concur with this.

Florence Fire Personnel stated they want the actual copy of the minutes or the decision for the preliminary plat, so they are not relying on the developer to tell them what the requirements are. It was agreed email is the best manner to receive these preliminary plat approval. It was also agreed that the Fire Districts will send a letter to the county stating they have signed off on the issues prior to the Commissioners approving the final plat.

OEM Director Ron Nicholas stated the Fire Council asked if equipment owned by the county could be utilized during a fire, i.e., road graders, dozers etc. Glenda brought up the fact that insurance, particularly liability insurance, does not cover county equipment and personnel because of the lack of training, etc.

In other planning issues, John stated Vanessa has been working on the farm land/ag land for value and mitigation. Hopefully that will be completed the end of the year. Also Vanessa is working on the irrigation issues and location of irrigation delivery with the Right to Farm and Ranch Board.

Mike Snook is working on the GIS land suitability and mapping. The NRCS has dropped the farm land of local importance by way of a letter. John will contact the local conservation district to obtain more information about that. Renee stated the sub committee was going to work with the NRCS, so this needs to be addressed. Commissioner Rokosch stated soils are only one approach to this, i.e., agriculture use.

In regard to Planning Board rules, the Planning Board made some changes to their rules and bylaws. Civil Counsel will review them prior to the Commissioners' approval. Lastly, it was agreed a discussion on subdivision review with Commissioners, staff and Planning Board Members might be held back, and to approach this more specifically than generally. Commissioner Rokosch stated they need to have this discussion, but it needs to be structured. Karen stated that could come at the review of the bylaws.



John stated he receives a smattering of ideas from the Planning Board and it needs to be pared down. Commissioner Rokosch asked John to refine the agenda to the top three issues. John stated the issue of effects on local services for school districts needs to be addressed. He is possibly looking at October 27<sup>th</sup>. Glenda will calendar that issue and John will notify the school districts.

Karen stated if the Commissioners have knowledge of certain issues that will affect a subdivision these concerns need to be sent to the Planning Staff prior to a decision. The regulations allow these questions to be brought forward with the information and any questions to be answered by the staff.